

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

FUTURE STAR, LLC, SP 2013-PR-051 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 1909 Hull Rd., Vienna, 22182, on approx. 21,780 sq. ft. of land zoned R-1. Providence District. Tax Map 39-1 ((10)) (3) 3. (Admin. moved from 9/25/13 for ads.) (Admin. moved from 10/30/13 for notices.) Mr. Hart moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on December 4, 2013; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the property.
2. The Board has a staff recommendation of approval.
3. The Board adopts the rationale in the staff report.
4. This appears to be a nice big lot.
5. There is plenty of room to turn around.
6. There is plenty of room for cars.
7. There is plenty of room for children to play.
8. There doesn't appear to be any opposition to this.
9. The Board has many letters from the parents or the community in support of it.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, Future Stars L.L.C., only and is not transferable without further action of the Board, and is for the location indicated on the application, 1909 Hull Road, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by Dominion Surveyors, Inc., dated June 27, 2005, as revised through August 14, 2013, signed by George M. O'Quinn, Land Surveyor, and approved with this application, as qualified by these development conditions.

3. A copy of this special permit **SHALL BE POSTED in a conspicuous place on the property** of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:30 a.m. to 5:30 p.m., Monday through Friday.
5. The maximum number of children on site at any one time shall be twelve (12), excluding the applicant's own children.
6. All pick up and drop off of children shall take place in the driveway.
7. The dwelling that contains the child care facility shall be the primary residence of the applicant.
8. There shall be no signage associated with the home child care facility.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The number of children shall not be increased above seven until all conditions are met. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Hammack and Mr. Smith seconded the motion, which carried by a vote of 6-0. Mr. Byers was not present for the vote.

A Copy Teste:



Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals